

III. Policy History

December 07, 2005:

This policy was ratified and approved by all governing bodies of the university on December 7, 2005.

IV. Policy

It is the policy of DePaul University that no person shall be the object of discrimination on the basis of race, color, ethnicity, religion, sex, gender, sexual orientation, national origin, age, marital status, parental status, family relationship status, physical or mental disability, military status, or other status protected by local, state, or federal law in its employment or its education settings.

For complaints related to sex, gender and/or sexual orientation please refer to the Sexual Harassment Policy Office, which has responsibility for monitoring and the resolutions of those complaints. The complete Sexual Harassment Policy and Procedures can be found at: </policies/humanresources/sexualharrassment.aspx>.

Academic Freedom

DePaul University values the free and open exchange of ideas within an academic community. Often ideas and viewpoints can challenge our assumptions, beliefs or perspectives that are intrinsic to learning and may sometimes prove disturbing or offensive. DePaul University is committed to the principles of academic freedom and inquiry; however, discrimination and harassment as identified in this policy are neither legally protected expression nor the proper exercise of academic freedom.

Policy

DePaul University will not tolerate the harassment of and/or discrimination against any person or group of individuals on the basis of race, color, ethnicity, religion, sex, gender, sexual orientation, national origin, age, marital status, parental status, family relationship status, physical or mental disability, military status, or other status protected by local, state, or federal law in its employment or its education settings. DePaul University reserves the right to take actions as are consistent with its policies and procedures to deal with individuals found to have engaged in unlawful harassment and/or discrimination in violation of this policy.

Unlawful harassment includes any behavior (verbal, written, or physical) that abuses, assails, intimidates, demeans or victimizes or has the effect of creating a hostile environment for any person based on any of the above protected characteristics. Depending on the specific circumstances and impact on the workplace or academic environment, examples of unlawful harassment include verbal abuse, offensive innuendo, derogatory comments, or the open display of offensive objects or pictures concerning a person's race, color, ethnicity, religion, sex, gender, sexual orientation, national origin, age, marital status, parental status, family relationship status, physical or mental disability, military status, or other protected status.

Examples of unlawful discrimination include treating an employee or student differently in the terms and conditions of his or her employment or education or making decisions about a person's employment, compensation, or education based upon his or her race, color, ethnicity, religion, sex, gender, sexual orientation, national origin, age, marital status, parental status, family relationship status, physical or mental disability, military status, or other protected status.

No person, including parties and witnesses, exercising his or her rights and/or responsibilities under the Anti-Discriminatory Harassment Policy and Procedures shall be subject to retaliation or threat of retaliation in any form. Retaliation includes, but is not limited to, those actions directed against an individual on the basis of or in reaction to the exercise of rights accorded and/or defined by this policy which affect a person's employment, advancement, scholarship, performance, habitation, and/or property. Claims of retaliation will be investigated and, if substantiated, constitute a separate violation of this policy. Any acts of retaliation will be subject to appropriate disciplinary action, including but not limited to reprimand, change in work assignment, loss of privileges, mandatory training, suspension, and/or termination.

DePaul University takes complaints of discrimination and harassment seriously. Individuals who knowingly make false allegations under this policy may be subject to disciplinary action, including but not limited to reprimand, suspension, and/or termination.

V. Procedures

The Senior Executive for Institutional Diversity or his/her designee (the "Office of Diversity") is responsible for receiving, processing, and resolving complaints of discrimination and/or harassment. Complaints related to sex, gender and/or sexual orientation should be directed to the Sexual Harassment

Policy Office as outlined in Section II. Policy Statement.

Any member of the University (as outlined in Section I. Scope) may file a complaint with the Office of Diversity against any member of the University community. All members of the University who serve in a supervisory capacity, such as deans, managers, and chairs, are responsible for relaying all complaints of discrimination or harassment to the Office of Diversity. Any student may also file a complaint as long as it concerns the actions of a university employee. Student complaints about actions of other students are handled by the Associate Vice President of Student Advocacy and Community Relations.

The University strongly recommends complainants to file a complaint within 120 (one hundred and twenty) days of the challenged conduct, to the extent practicable. The complainant should receive an acknowledgement of receipt from the Office of Diversity within 10 business days. If this does not occur, then that person should directly contact the Office of Diversity to confirm receipt of original complaint.

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When the University receives a complaint of discrimination and/or harassment it will promptly investigate the allegation in a fair and expeditious manner. Every complaint is based on its own facts and circumstances, which can impact the course of the University's investigation. The following is an outline of the procedure generally followed once a complaint has been brought to the attention of the University.

Filing a complaint

q Contact the Office of Diversity:
55 East Jackson
Suite 400
Chicago, Illinois
312-362-8588

q The complaint can be submitted orally or in a written statement.

Processing a complaint

In processing a complaint, the Office of Diversity will:

- q Acknowledge receipt of the complaint in writing.
- q Conduct a preliminary assessment of allegations.
- q May conduct a preliminary evaluation to determine whether the alleged conduct, if substantiated, could constitute a violation of any University policy, including this Anti-Discriminatory Harassment Policy.
- q If the Office of Diversity concludes that the alleged actions may constitute a policy violation, it will designate an investigator and assign the case for a prompt and impartial fact-finding investigation of the complaint. The Office of Diversity will provide the name of the investigator to the complainant and the investigator will contact the complainant.

Fact-Finding

The specific fact-finding steps may vary depending on the facts and circumstances of the complaint. Generally speaking, the designated investigator will:

- q Inform the complainant and respondent of the start of the investigation.
- q Initiate a formal fact-finding investigation of the complaint.
- q Collect and review relevant documentation.
- q Interview complainant, respondent, and witnesses to the reported event or events.
- q Provide respondent with ample opportunity to respond to the complaint.

At any time in the process, the complaint may be resolved voluntarily prior to the completion of the investigation when there is agreement among the complainant, the respondent, and the Office of Diversity that the issue has been addressed to the satisfaction of all parties and the investigation should be closed without further action.

Confidentiality

The University is committed to balancing the interests of all parties involved in discrimination and harassment complaints and will attempt to keep the name of the complainant confidential and to respect the rights of the individual against whom the complaint was made. Nonetheless, the University recognizes that there are certain situations that may require disclosures of information. Further, when credible information received

through an investigation shows that there may be violations of other University policies, the appropriate officials will be notified.

Resolution of Complaint

The Office of Diversity is charged with the responsibility of investigating complaints of discrimination, communicating its findings, and making recommendations for corrective actions. Upon completion of the investigation, the investigator shall report his or her findings to the Office of Diversity. If the Office of Diversity, following the investigation, determines that the Anti-Discriminatory Harassment Policy has been violated, it will, together with appropriate University officials, recommend appropriate corrective action, up to and including discharge/expulsion, commensurate with the severity of the infraction. University officials who may have input in determining the appropriate corrective action include but are not limited to, the supervisors or department heads of the complainant and respondent, the Vice President of Human Resources, and the Office of the General Counsel.

The Office of Diversity will provide written notification to the complainant, the individual against whom the complaint was made, and the appropriate University officials of the finding, as deemed appropriate. Where a remedy is determined to be appropriate, the investigator will inform the individual against whom the complaint was made of the recommended steps that will be taken to remedy the situation.

Supervisors, department heads, and other administrators and managers have the responsibility for implementing those recommendations. The Office of Diversity may advise in the implementation process and will monitor the actions taken as a result of the findings and recommendations. To the extent that the Office of Diversity concludes that other University policies may have been violated by the reported conduct, the appropriate University official(s) will be notified and applicable procedures set forth in the DePaul Student Handbook, the DePaul Human Resources Employee Handbook, the DePaul Faculty Handbook, or relevant collective bargaining agreements will apply.

The files of complaints will be maintained in the Office of Diversity. Documents and information relating to the complaint and investigation will not be kept in relevant personnel or academic records; except that any discipline or sanction imposed as a result of a policy violation will be documented in the disciplined individual's personnel or academic record in accordance with applicable University procedures.

Government Agencies

Employees who believe that they may have been subjected to unlawful discrimination or harassment may file a formal complaint with either or both of the government agencies listed below. Although the University encourages employees to utilize the complaint process described above to resolve any complaints, use of this process does not prohibit an employee from filing a complaint with these agencies at any time.

The U.S. Equal Employment Opportunity Commission

500 West Madison Street, Suite 2800

Chicago, Illinois 60661

(312) 353-2713

Illinois Department of Human Rights

James R. Thompson Center
100 West Randolph Street, Suite 10-100
Chicago, Illinois 60601
(312) 814-6200

VI. Divisional Collaborations

None.

VII. Contact Information

Office of Diversity

(312) 362-8588



VIII. Appendices

None.

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